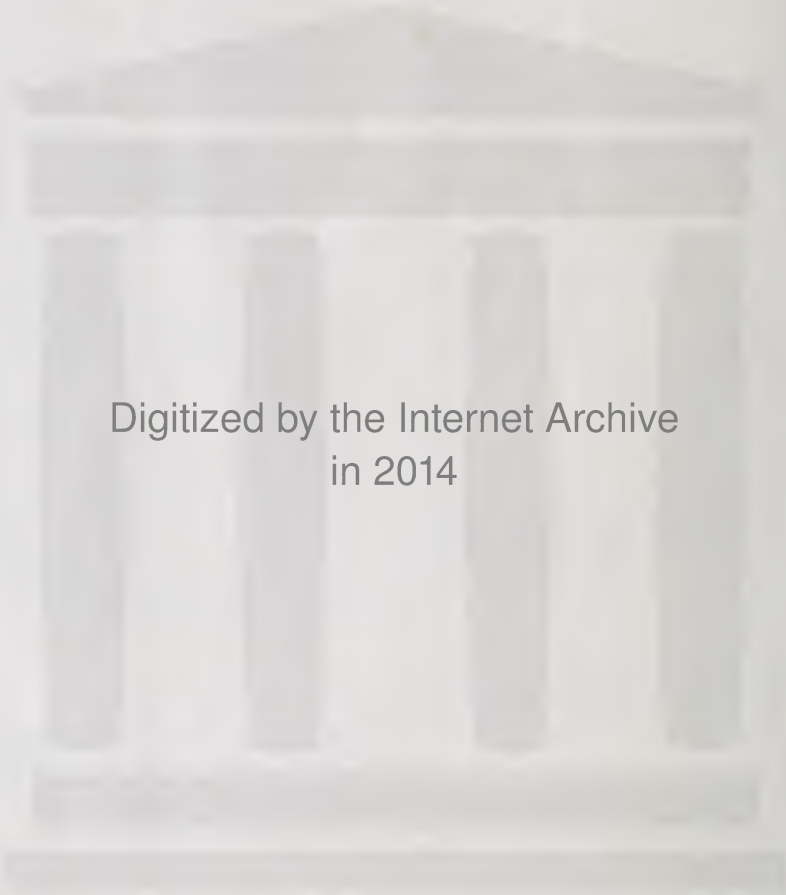






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# ACTS OF THE PARLIAMENT OF CANADA

PASSED IN THE SESSION HELD IN THE  
FIFTH AND SIXTH YEARS OF THE REIGN OF HER MAJESTY  
QUEEN ELIZABETH II

BEING THE  
FIFTH SESSION OF THE TWENTY-SECOND PARLIAMENT

Begun and holden at Ottawa, on the Eighth day of January, 1957,  
and prorogued on the Twelfth day of April, 1957.

HIS EXCELLENCY THE RIGHT HONOURABLE  
VINCENT MASSEY  
GOVERNOR GENERAL

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PART II  
LOCAL AND PRIVATE ACTS, NOT INCLUDING  
DIVORCE ACTS

An index to Divorce Acts may be found at back of this volume.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.  
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY  
OTTAWA, 1957



## 5 - 6 ELIZABETH II.

### CHAP. 40

An Act respecting Canadian Pacific Railway Company and certain wholly owned subsidiaries.

[Assented to 28th March, 1957.]

WHEREAS Canadian Pacific Railway Company, British Columbia Southern Railway Company, The Columbia and Western Railway Company, The Kaslo and Slocan Railway Company, The Kootenay and Arrowhead Railway Company, Nakusp and Slocan Railway Company, The Nicola, Kamloops and Similkameen Coal and Railway Company, The Shuswap and Okanagan Railway Company, The Alberta Central Railway Company, The Alberta Railway and Irrigation Company, Lacombe and North-Western Railway Company, The Great North-West Central Railway Company and Manitoba South-Western Colonization Railway Company have by their joint petition prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. This Act may be cited as *Canadian Pacific Railway Company (Subsidiaries) Act, 1957.*

Short title.

2. The railways and undertakings of British Columbia Southern Railway Company, The Columbia and Western Railway Company, The Kaslo and Slocan Railway Company, The Kootenay and Arrowhead Railway Company, Nakusp and Slocan Railway Company, The Nicola, Kamloops and Similkameen Coal and Railway Company, The Shuswap and Okanagan Railway Company, The Alberta Central Railway Company, The Alberta Railway and Irrigation Company, Lacombe and North-Western Railway Company, The Great North-West Central Railway Company and Manitoba South-Western Colonization Railway Company and all the powers, rights, privileges,

Railways and undertakings vest in Canadian Pacific Railway Company.

franchises, assets, effects and properties, real, personal and mixed, belonging to or possessed by the said Companies, or to which they may be or become entitled, are hereby vested absolutely in Canadian Pacific Railway Company.

Canadian  
Pacific  
Railway  
Company  
liable for  
claims, etc.

**3.** Canadian Pacific Railway Company is liable in respect of all claims, demands, rights, securities, causes of action, complaints, debts, obligations, works, contracts, agreements or duties of or affecting the Companies named in section 2 to as full an extent as the said Companies were liable at or before the coming into force of this Act.

Companies  
dissolved.

**4.** The Kootenay and Arrowhead Railway Company, Nakusp and Slocan Railway Company, The Shuswap and Okanagon Railway Company, The Alberta Central Railway Company, The Alberta Railway and Irrigation Company, The Great North-West Central Railway Company and Manitoba South-Western Colonization Railway Company are hereby dissolved.

Act to come  
into force  
on procla-  
mation.

**5.** This Act shall come into force with respect to any one or more of the Companies named in section 2 on a day or days to be fixed by Proclamation of the Governor in Council.

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EDMOND CLOUTIER, C.M.G., O.A., D.S.P.  
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY  
OTTAWA, 1957

## 5 - 6 ELIZABETH II.

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### CHAP. 41

An Act respecting Alliance Nationale.

[Assented to 28th March, 1957.]

**W**HEREAS Alliance Nationale has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

**1.** The name of Alliance Nationale, a company incorporated by chapter 69 of the statutes of 1917, as amended by chapter 101 of the statutes of 1924, by chapter 91 of the statutes of 1929, and by chapter 44 of the statutes of 1945, hereinafter called “the Company”, is hereby changed to Alliance Mutual Life Insurance Company and, in French, Alliance Compagnie Mutuelle d’Assurance-vie. The Company may use either the English or French version of its name or both as and when it so elects. Such change in name shall not in any way impair, alter or affect the rights or liabilities of the company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed, and any suit or legal proceeding that might have been commenced or continued by or against the Company by its former name may be commenced or continued by or against it by its new name. Name changed.

**2.** Section 8 of chapter 44 of the statutes of 1945 is repealed. Repeal.

**3.** Section 9 of chapter 44 of the statutes of 1945 is repealed and the following substituted therefor: Repeal.

“**9.** (1) Every person who has contracted with the Company for a participating policy, and who holds such Membership and voting.

a policy upon which no premiums are due, shall be a member of the Company and be entitled to attend and vote at all general meetings of the Company.

Qualifica-  
tions of  
directors.

“(2) Every such member who holds a participating policy or policies of the Company for four thousand dollars or more of insurance, exclusive of bonus additions, upon which no premiums are due and who has paid premiums on such policy or policies for at least three full years shall be eligible for election as a director; and for the purpose of this subsection, a participating policy providing for an annuity shall be deemed to be a participating policy of insurance in the ratio of one hundred dollars of annuity per annum to one thousand dollars of insurance and *pro rata* for larger or smaller amounts.

Qualification  
retained.

“(3) Notwithstanding subsection (1) of this section, any person who was a member of the Company prior to the date of the coming into force of this Act shall retain his qualification as a member provided he continues to meet the conditions of eligibility existing as at the date of issue of the insurance policy on his life.”

Coming  
into force.

4. This Act shall come into force on the first day of January, 1958.

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EDMOND CLOUTIER, C.M.G., O.A., D.S.P.  
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY  
OTTAWA, 1957

## 5 - 6 ELIZABETH II.

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### CHAP. 42

An Act respecting The British America Assurance Company.

[Assented to 1st April, 1957.]

**W**HEREAS The British America Assurance Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1920, c. 84.

**1.** Section 5 of chapter 84 of the statutes of 1920 is repealed and the following substituted therefor:—

1920, c. 84.

**“5.** The annual meeting of the shareholders shall be held at the head office of the Company on such day in each year as shall from time to time be fixed by resolution of the directors. Notice of the meeting shall be given by publishing the same in a newspaper, published in the place where the head office of the Company is situated, fifteen days before the day the meeting is to be held, and the directors shall lay before the meeting a full printed statement of the affairs and financial position of the Company made up to the thirty-first day of December of the previous year, which statement shall be certified by the president or vice president and by the secretary or assistant-secretary for the time being.”

Annual meeting.  
Notice.  
Statement to be submitted.

**2.** Subsection (1) of section 8 of chapter 84 of the statutes of 1920 is repealed and the following substituted therefor:—

Qualification of directors.

**“8.** (1) No person shall be elected or continue to be a director unless he holds in his own name and for his own use and absolutely in his own right one hundred fully paid shares in the capital stock of the Company and has paid all liabilities incurred by him to the Company.”



## 5 - 6 ELIZABETH II.

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### CHAP. 43

An Act respecting Canadian Co-operative Credit Society Limited.

[Assented to 28th March, 1957.]

**WHEREAS** Canadian Co-operative Credit Society Limited, hereinafter called "the Association", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1952-53, c. 58.

**1.** Co-operative Credit Society of Manitoba Limited, a corporation incorporated by chapter 105 of the statutes of the province of Manitoba, 1950 (First Session), as amended by chapter 97 of the statutes of the province of Manitoba, 1955, hereinafter called "the Manitoba Society" is hereby declared eligible to become a member of the Association.

Declaration.

**2.** The declaration made in section 1 of this Act is deemed to be repealed

When repealed.

(a) if the Manitoba Society ceases to be registered on the books of the Association as a shareholder thereof, or

(b) if a certificate under section 80 of the *Co-operative Credit Associations Act* is not granted within two years after the coming into force of this Act, or within such extended period not exceeding one year as the Governor in Council before the expiration of such two years allows.

1952-53, c. 23.



## 5 - 6 ELIZABETH II.

### CHAP. 44

#### An Act respecting Equitable Fire Insurance Company of Canada.

[Assented to 1st April, 1957.]

WHEREAS Equitable Fire Insurance Company of Canada, a corporation incorporated by chapter 61 of the statutes of 1952, as amended by chapter 69 of the statutes of 1955, hereinafter called "the Company", has by petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petitioner: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1952, c. 61.  
1955, c. 69.

1. Notwithstanding anything in the *Canadian and British Insurance Companies Act*, or in chapter 61 of the statutes of 1952, or in chapter 69 of the statutes of 1955, the said chapter 61 of the statutes of 1952 shall be deemed not to have expired and not to have ceased to be in force after the eighteenth day of June, 1956, but to have continued and to be in force for all its purposes whatsoever until the eighteenth day of June, 1958, and the Minister of Finance may at any time not later than the seventeenth day of June, 1958, and subject to all other provisions of the *Canadian and British Insurance Companies Act*, grant to the Company a certificate of registry.

R.S., c. 31.  
1952, c. 61.  
1955, c. 69.

Extension  
of time.

2. If the Company has not obtained the said certificate of registry before the eighteenth day of June, 1958, chapter 61 of the statutes of 1952 shall then expire and cease to be in force thereafter, except for the sole purpose of winding up the Company's business, but otherwise it shall remain in full force and effect for all its purposes whatsoever.

Limitation.

3. The name of the Company is hereby changed to Equitable General Insurance Company of Canada, and

Change of  
name.

in French, *Compagnie Equitable d'Assurances Générales du Canada*, and either the English or the French name of the Company may be used in carrying on the business or operations of the Company. Such change in name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed, and any suit or legal proceeding that might have been commenced or continued by or against the Company by its former name may be commenced or continued by or against it by its new name.

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EDMOND CLOUTIER, C.M.G., O.A., D.S.P.  
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY  
OTTAWA, 1957

## 5 - 6 ELIZABETH II.

### CHAP. 45

#### An Act to incorporate The Kings Mutual Insurance Company.

[Assented to 28th March, 1957.]

**W**HEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

**1.** Robert F. Newcombe, farmer, Durrell D. Sutton, farmer, Donald F. Archibald, executive, all of Port Williams in the province of Nova Scotia, Thomas C. Hall, retired, of Morristown, in the said province, Frank Hall, farmer, of St. Croix Cove, in the said province, and Stewart Elliott, manager, of Lawrencetown, in the said province, together with such persons as become policyholders in the company, are incorporated under the name of The Kings Mutual Insurance Company, hereinafter called "the Company". Incorporation.  
Corporate name.

**2.** The persons named in section 1 shall be the provisional directors of the Company. Provisional directors.

**3.** The head office of the Company shall be at the town of Berwick, in the province of Nova Scotia. Head office.

**4.** The Company may make contracts for any of the following classes of insurance upon either the cash premium or the mutual system: Classes of insurance authorized.

- (a) accident insurance;
- (b) aircraft insurance;
- (c) automobile insurance;
- (d) boiler insurance;
- (e) credit insurance;
- (f) earthquake insurance;

- (g) explosion insurance;
- (h) falling aircraft insurance;
- (i) fire insurance;
- (j) forgery insurance;
- (k) guarantee insurance;
- (l) hail insurance;
- (m) impact by vehicles insurance;
- (n) inland transportation insurance;
- (o) live stock insurance;
- (p) machinery insurance;
- (q) marine insurance;
- (r) personal property insurance;
- (s) plate glass insurance;
- (t) real property insurance;
- (u) sickness insurance;
- (v) sprinkler leakage insurance;
- (w) theft insurance;
- (x) water damage insurance;
- (y) weather insurance;
- (z) windstorm insurance.

Commence-  
ment of  
business.

5. (1) The Company shall not commence any business of insurance until bona fide applications have been received for fire insurance on the mutual system to an amount of at least two million dollars or, in lieu thereof, until an agreement has been entered into between the Company and the provincial Company as provided in section 16 of this Act. Upon a certificate of registry being issued to the Company it may then transact the business of fire insurance and, in addition thereto, civil commotion insurance, earthquake insurance, limited or inherent explosion insurance, falling aircraft insurance, impact by vehicles insurance, hail insurance, sprinkler leakage insurance, water damage insurance, weather insurance and windstorm insurance, limited to the insurance of the same property as is insured under a policy of fire insurance of the Company.

(2) The Company shall not commence any of the other classes of business authorized by section 4 of this Act until the surplus of the Company exceeds three hundred thousand dollars by an amount or amounts depending upon the nature of the additional class or classes of business as follows, that is to say:—for accident insurance, the said excess shall not be less than eighty thousand dollars; for aircraft insurance, not less than forty thousand dollars; for automobile insurance, not less than forty thousand dollars; for boiler insurance, not less than forty thousand dollars; for credit insurance, not less than forty thousand dollars; for earthquake insurance, not less than twenty thousand dollars; for explosion insurance, not less than forty thousand

dollars; for falling aircraft insurance, not less than ten thousand dollars; for forgery insurance, not less than forty thousand dollars; for guarantee insurance, not less than one hundred thousand dollars; for hail insurance, not less than fifty thousand dollars; for impact by vehicles insurance, not less than ten thousand dollars; for inland transportation insurance, not less than twenty thousand dollars; for live stock insurance, not less than forty thousand dollars; for machinery insurance, not less than forty thousand dollars; for marine insurance, not less than one hundred thousand dollars; for personal property insurance, not less than twenty thousand dollars; for plate glass insurance, not less than twenty thousand dollars; for real property insurance, not less than twenty thousand dollars; for sickness insurance, not less than twenty thousand dollars; for sprinkler leakage insurance, not less than ten thousand dollars; for theft insurance, not less than forty thousand dollars; for water damage insurance, not less than twenty thousand dollars; for weather insurance, not less than twenty thousand dollars; for windstorm insurance, not less than fifty thousand dollars.

(3) Notwithstanding anything to the contrary contained in this section, the Company may transact all or any of the classes of insurance business authorized by section 4 of this Act when the surplus amounts to at least one million dollars.

(4) In this section, the word "surplus" means the excess of assets over liabilities, including the reserve of unearned premiums calculated *pro rata* for the unexpired term of all policies of the Company in force.

"Surplus"  
defined.

6. (1) There shall be elected at the first annual meeting a board of not less than nine nor more than fifteen directors, who shall hold office for one year but shall be eligible for re-election.

Election of  
directors.

(2) The Company shall, by by-law passed not less than three months prior to the holding of its second annual meeting after the passing of this Act, determine the number of directors to be elected at that and at subsequent annual meetings until otherwise changed by by-law.

(3) At any annual meeting after the second the Company may by by-law change, or authorize the board of directors to change from time to time, the number of directors, but the board shall at all times consist of not less than nine nor more than fifteen directors, and in the event of any increase in the number of directors having been made by the directors, the vacancy, or vacancies, in the board thereby created may be filled by the directors from among the qualified policyholders to hold office until the next annual meeting.

Term of office.

(4) The Company may by by-law provide that all of the directors shall be elected for one, two or three years, and if the by-law provides for a term of two or of three years, it may also provide that the term of office of each director shall be for the whole of that term, or that, as nearly as may be, one-half the directors shall retire each year if the term is two years, and, as nearly as may be, one-third of the directors shall retire each year if the term is three years; but a director who has completed his term of office shall be eligible for re-election.

Qualifications of directors.

7. Any policyholder who holds a policy or policies of insurance of the Company to the amount of at least one thousand dollars, and who is not in default in respect of his cash premium or his premium note or any instalment or assessment on his premium note and who has paid in cash all liabilities incurred by him to the Company shall be eligible to be elected as a director, but he shall cease to be such director if the amount of his insurance as aforesaid becomes reduced below the sum of one thousand dollars.

Voting at meetings.

8. Each holder of an insurance policy or policies issued by the Company who is not in default in respect of his cash premium or assessment on his premium note shall be a member of the Company and shall have one vote at all general meetings of the Company.

Liability of assets for losses on policies.

9. All the assets of the Company, including the premium notes given by policyholders, shall be liable for losses occurring on all the policies of the Company. A policyholder of the Company on the mutual system shall be liable in respect of any loss or other claim or demand against the Company to the extent of the amount unpaid upon his premium note and no more.

Provision for meeting deficiency of assets if Company is wound up.

10. In the event of the winding-up of the Company if the assets on hand at the date of winding-up, exclusive of the unearned portion of the premium notes of the policyholders on the mutual system, are insufficient to pay all the liabilities of the Company in full an assessment shall be made on the said policyholders in respect of their premium notes to an amount not exceeding the unpaid balance of such notes.

Assessment of premium notes and undertakings.

11. All premium notes and undertakings belonging to the Company shall be assessed under the direction of the board of directors at such intervals from their respective dates and for such sums as the directors shall determine; and every policyholder on the mutual system who has given a premium note or undertaking shall pay the sums

from time to time payable by him to the Company during the continuance of his policy in accordance with such assessment.

**12.** If the assessment on the premium note or undertaking upon any policy be not paid within thirty days after the day on which the said assessment shall become due the policy of insurance for which the said assessment shall have been made shall be null and void as respects all claim for losses occurring during the time of such non-payment: Provided always that the said policy shall be reinstated when such assessment shall have been paid, unless the secretary give notice to the contrary to the assessed party; but nothing shall relieve the policyholder from his liability to pay such assessment or any subsequent assessments.

Effect of non-payment of assessment.

Proviso.

**13.** If any member or other person who has given a premium note or undertaking shall, for thirty days after the due date mentioned in the notice of assessment, neglect or refuse to pay said assessment the Company may sue for and recover the same with costs of suit and such proceeding shall not be a waiver of any forfeiture incurred by such non-payment.

Right to sue for amount of assessment.

**14.** If there be any loss on property insured by the Company, the board of directors may deduct the amount of the premium note, less any paid assessments thereon, from the payment due under the loss and retain the amount so deducted until the time has expired for which insurance has been made, and at the expiration of the said time the insured shall have the right to demand and receive such part of the retained sum as shall not have been assessed against.

Power of Company to deduct from payment due under a loss.

**15.** The directors may from time to time out of the earnings of the Company distribute equitably to the holders of policies issued by the Company such sums as in the judgment of the directors are proper and justifiable.

Distributions to policy-holders.

**16.** (1) The Company may acquire by agreement to insure or otherwise the whole or any part of the rights and property and may assume the obligations and liabilities of the Kings Mutual Fire Insurance Company incorporated in the year 1904 under the laws of the province of Nova Scotia pursuant to the provisions of chapter 46 of the statutes of Nova Scotia, 1903-04, being an act entitled "An Act to Provide for the Formation of Mutual Insurance Companies", as confirmed by chapter 146 of the statutes of Nova Scotia, 1905, with the additional powers conferred

Power to acquire rights etc., of a certain Nova Scotia insurance company.

Duties in  
such event.

Approval of  
Treasury  
Board.

Coming  
into force.

R.S., c. 31.

by chapter 112 of the statutes of Nova Scotia, 1937, in this Act called "the provincial Company"; and in the event of such acquisition and assumption the Company shall perform and discharge all such obligations and liabilities of the provincial Company with respect to the rights and property acquired as are not performed and discharged by the provincial Company.

(2) No agreement between the Company and the provincial Company providing for such acquisition and assumption shall become effective until it has been submitted to and approved by the Treasury Board of Canada.

**17.** This Act shall come into force on a date to be specified by the Superintendent of Insurance in a notice in the *Canada Gazette*. Such notice shall not be given until this Act has been approved by a resolution adopted by at least two-thirds of the votes of the members of the provincial Company present or represented by proxy at a meeting duly called for that purpose nor until the Superintendent of Insurance has been satisfied by such evidence as he may require that such approval has been given and that the provincial Company has ceased to do business or will cease to do business forthwith upon a certificate of registry being issued to the Company.

**18.** The *Canadian and British Insurance Companies Act* shall apply to the Company except as otherwise provided in this Act.

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EDMOND CLOUTIER, C.M.G., O.A., D.S.P.  
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY  
OTTAWA, 1957

## 5 - 6 ELIZABETH II.

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### CHAP. 46

An Act respecting The Life Underwriters Association of Canada.

[Assented to 28th March, 1957.]

WHEREAS The Life Underwriters Association of Canada, a corporation incorporated by chapter 104 of the statutes of 1924, hereinafter called "the Association", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1924, c.104.

1. Subsection (2) of section 12 of chapter 104 of the statutes of 1924 is repealed and the following substituted therefor:—

Repeal

"(2) There shall not be, and shall be deemed not to have been in the past, any limitation on the total value of the real property held by or in trust for the Association in accordance with subsection (1) of this section."

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EDMOND CLOUTIER, C.M.G., O.A., D.S.P.  
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY  
OTTAWA, 1957



## 5 - 6 ELIZABETH II.

### CHAP. 47

An Act to incorporate The North Waterloo Farmers Mutual Insurance Company.

[Assented to 1st April, 1957.]

WHEREAS the persons hereinafter named have by their Preamble.  
petition prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Percival Gordon Shantz, salesman, of the city of Kitchener, in the province of Ontario, Carl Moyer Hagey, farmer, Morris Wilfrid Hallman, farmer, both of the township of Waterloo, in the said province, William Campbell Shantz, general manager, of the city of Waterloo, in the said province, John Kenneth Harper, farmer, of the township of West Flamboro, in the said province, John Duncan Wilson, farmer, of the township of Egremont, in the said province, Frederick Werner Yungblut, retired farmer, of the township of Wallis, in the said province, Edwin Hackbart, farmer, of the township of Wellesley, in the said province, Joseph Lorne Gregson, municipal clerk, of the township of West Garafraxa, in the said province, Charles Howard Bowman, farmer, of the township of Pilkington, in the said province, Charles Schuett, farmer, of the township of Woolwich, in the said province, and Quentin Bettschen Hallman, farmer, of the township of Wilmot, in the said province, together with such persons as become policyholders on the mutual system in the company, are incorporated under the name of The North Waterloo Farmers Mutual Insurance Company, hereinafter called Incorporation.  
“the Company”. Corporate name.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company. Provisional directors.

Head office. **3.** The head office of the Company shall be at the city of Waterloo, in the province of Ontario.

Classes of insurance authorized. **4.** The Company may make contracts for any of the following classes of insurance upon either the cash premium or the mutual system:—

- (a) accident insurance;
- (b) aircraft insurance;
- (c) automobile insurance;
- (d) boiler insurance;
- (e) credit insurance;
- (f) earthquake insurance;
- (g) explosion insurance;
- (h) falling aircraft insurance;
- (i) fire insurance;
- (j) forgery insurance;
- (k) guarantee insurance;
- (l) hail insurance;
- (m) impact by vehicles insurance;
- (n) inland transportation insurance;
- (o) live stock insurance;
- (p) machinery insurance;
- (q) marine insurance;
- (r) personal property insurance;
- (s) plate glass insurance;
- (t) real property insurance;
- (u) sickness insurance;
- (v) sprinkler leakage insurance;
- (w) theft insurance;
- (x) water damage insurance;
- (y) weather insurance;
- (z) windstorm insurance.

Commence-  
ment of  
business. **5.** (1) The Company shall not commence any business of insurance until bona fide applications have been received for fire insurance on the mutual system to an amount of at least two million dollars or, in lieu thereof, until an agreement has been entered into between the Company and the provincial Company as provided in section 18 of this Act. Upon a certificate of registry being issued to the Company it may then transact the business of fire insurance and, in addition thereto, civil commotion insurance, earthquake insurance, limited or inherent explosion insurance, falling aircraft insurance, impact by vehicles insurance, hail insurance, sprinkler leakage insurance, water damage insurance, weather insurance and windstorm insurance, limited to the insurance of the same property as is insured under a policy of fire insurance of the Company.

(2) The Company shall not commence any of the other classes of business authorized by section 4 of this Act until

the surplus of the Company exceeds three hundred thousand dollars by an amount or amounts depending upon the nature of the additional class or classes of business as follows, that is to say:—for accident insurance, the said excess shall not be less than eighty thousand dollars; for aircraft insurance, not less than forty thousand dollars; for automobile insurance, not less than forty thousand dollars; for boiler insurance, not less than forty thousand dollars; for credit insurance, not less than forty thousand dollars; for earthquake insurance, not less than twenty thousand dollars; for explosion insurance, not less than forty thousand dollars; for falling aircraft insurance, not less than ten thousand dollars; for forgery insurance, not less than forty thousand dollars; for guarantee insurance, not less than one hundred thousand dollars; for hail insurance, not less than fifty thousand dollars; for impact by vehicles insurance, not less than ten thousand dollars; for inland transportation insurance, not less than twenty thousand dollars; for live stock insurance, not less than forty thousand dollars; for machinery insurance, not less than forty thousand dollars; for marine insurance, not less than one hundred thousand dollars; for personal property insurance, not less than twenty thousand dollars; for plate glass insurance, not less than twenty thousand dollars; for real property insurance, not less than twenty thousand dollars; for sickness insurance, not less than twenty thousand dollars; for sprinkler leakage insurance, not less than ten thousand dollars; for theft insurance, not less than forty thousand dollars; for water damage insurance, not less than twenty thousand dollars; for weather insurance, not less than twenty thousand dollars; for windstorm insurance, not less than fifty thousand dollars.

(3) Notwithstanding anything to the contrary contained in this section, the Company may transact all or any of the classes of insurance business authorized by section 4 of this Act when the surplus amounts to at least one million dollars.

(4) In this section, the word “surplus” means the excess of assets over liabilities, including the reserve of unearned premiums calculated *pro rata* for the unexpired term of all policies of the Company in force.

“Surplus”  
defined.

6. (1) There shall be elected at the first annual meeting a board of not less than nine nor more than twenty-one directors, who shall hold office for one year but shall be eligible for re-election.

Election of  
directors.

(2) The Company shall, by by-law passed not less than three months prior to the holding of its second annual meeting after the passing of this Act, determine the number

of directors to be elected at that and at subsequent annual meetings until otherwise changed by by-law.

(3) At any annual meeting after the second the Company may by by-law change, or authorize the board of directors to change from time to time, the number of directors, but the board shall at all times consist of not less than nine nor more than twenty-one directors, and in the event of any increase in the number of directors having been made by the directors, the vacancy or vacancies in the board thereby created may be filled by the directors from among the qualified policyholders to hold office until the next annual meeting.

Term of  
office.

(4) The Company may by by-law provide that all of the directors shall be elected for one, two or three years, and if the by-law provides for a term of two or of three years, it may also provide that the term of office of each director shall be for the whole of that term, or that, as nearly as may be, one-half the directors shall retire each year if the term is two years, and, as nearly as may be, one-third of the directors shall retire each year if the term is three years; but a director who has completed his term of office shall be eligible for re-election.

Qualifica-  
tions of  
directors.

7. Any policyholder on the mutual system who holds a policy or policies to the amount of at least one thousand dollars and who is not in default in respect of his premium note or any instalment or assessment on his premium note and who has paid in cash all liabilities incurred by him to the Company shall be eligible to be elected as a director, but he shall cease to be such director if the amount of his insurance as aforesaid becomes reduced below the sum of one thousand dollars.

Voting at  
meetings.

8. At all meetings of the Company each policyholder on the mutual system who is not in default in respect of his premium note or any instalment or assessment on his premium note shall be entitled to the number of votes on the basis of the amount of insurance held by him on the mutual system according to the following scale: under fifteen hundred dollars, one vote; fifteen hundred dollars to three thousand dollars, two votes; and three thousand dollars or over, three votes. Such policyholder may not vote by proxy unless the proxy himself is a policyholder on the mutual system and entitled to vote. The instrument appointing a proxy shall be in writing and shall not be valid unless executed within three months of the date of the meeting at which it is to be used, and unless filed with the secretary of the Company at least ten days before such meeting, and shall be used at such meeting or any adjournment thereof, and may be revoked at any time prior to such meetings.

**9.** (1) Notice of every annual or special general meeting of the Company shall be sent by post to every policyholder on the mutual system and shall be published in two or more daily newspapers published at or near the place where the head office is located at least fifteen days prior to the day of the meeting.

Notice of meetings.

(2) The directors shall at least seven days prior to the date of the annual meeting send to every policyholder on the mutual system by post the annual statement for the year ending on the last previous thirty-first day of December, which statement shall be certified by the auditors of the Company.

**10.** All the assets of the Company, including the premium notes given by policyholders, shall be liable for losses occurring on all the policies of the Company. A policyholder of the Company on the mutual system shall be liable in respect of any loss or other claim or demand against the Company to the extent of the amount unpaid upon his premium note and no more.

Liability of assets for losses on policies.

**11.** In the event of the winding-up of the Company if the assets on hand at the date of winding-up, exclusive of the unearned portion of the premium notes of the policyholders on the mutual system, are insufficient to pay all the liabilities of the Company in full, an assessment shall be made on the said policyholders in respect of their premium notes to an amount not exceeding the unpaid balance of such notes.

Provision for meeting deficiency of assets if Company wound up.

**12.** All premium notes and undertakings belonging to the Company shall be assessed under the direction of the board of directors at such intervals from their respective dates, and for such sums, as the directors shall determine; and every policyholder on the mutual system who has given a premium note or undertaking shall pay the sums from time to time payable by him to the Company during the continuance of his policy in accordance with such assessment.

Assessment of premium notes and undertakings.

**13.** If the assessment on the premium note or undertaking upon any policy be not paid within thirty days after the day on which the said assessment shall become due the policy of insurance for which the said assessment shall have been made shall be null and void as respects all claim for losses occurring during the time of such non-payment: Provided, always, that the said policy shall be reinstated when such assessment shall have been paid, unless the secretary give notice to the contrary to the assessed party; but nothing shall relieve the policyholder from his liability to pay such assessment or any subsequent assessments.

Effect of non-payment of assessment.

Proviso.

Right to sue  
for amount  
of assessment.

**14.** If any member or other person who has given a premium note or undertaking shall, for thirty days after the due date mentioned in the notice of assessment, neglect or refuse to pay said assessment the Company may sue for and recover the same with costs of suit and such proceeding shall not be a waiver of any forfeiture incurred by such non-payment.

Power of  
Company  
to deduct  
from  
payment due  
under a loss.

**15.** If there be any loss on property insured by the Company, the board of directors may deduct the amount of the premium note, less any paid assessments thereon, from the payment due under the loss and retain the amount so deducted until the time has expired for which insurance has been made, and at the expiration of the said time the insured shall have the right to demand and receive such part of the retained sum as shall not have been assessed against.

Insurance  
on cash  
plan.

**16.** No insurance on the cash plan shall make the insured a member of the Company or liable to contribute or pay any sum to the Company or to its funds or to any other member thereof beyond the cash premium agreed upon or give him any right to participate in the profits or surplus funds of the Company.

Distribution  
to policy-  
holders.

**17.** The directors may from time to time out of the earnings of the Company distribute equitably to the holders of policies issued by the Company on the mutual system such sums as in the judgment of the directors are proper and justifiable.

Power to  
acquire  
rights, etc. of  
a certain  
Ontario  
insurance  
company.

**18.** (1) The Company may acquire by agreement to insure or otherwise the whole or any part of the rights and property and may assume the obligations and liabilities of The North Waterloo Farmers' Mutual Fire Insurance Company, incorporated in the year 1874 under and pursuant to the provisions of an Act to consolidate and amend the laws having reference to Mutual Fire Insurance Companies in the Province of Ontario, being chapter 44 of the statutes of Ontario, 1873, in this Act called "the provincial Company"; and in the event of such acquisition and assumption the Company shall perform and discharge all such obligations and liabilities of the provincial Company with respect to the rights and property acquired as are not performed and discharged by the provincial Company.

Duties in  
such event.

Approval of  
Treasury  
Board.

(2) No agreement between the Company and the provincial Company providing for such acquisition and assumption shall become effective until it has been submitted to and approved by the Treasury Board of Canada.

**19.** This Act shall come into force on a date to be specified by the Superintendent of Insurance in a notice in the *Canada Gazette*. Such notice shall not be given until this Act has been approved by a resolution adopted by at least two-thirds of the votes of the members of the provincial Company present or represented by proxy at a meeting duly called for that purpose nor until the Superintendent of Insurance has been satisfied by such evidence as he may require that such approval has been given and that the provincial Company has ceased to do business or will cease to do business forthwith upon a certificate of registry being issued to the Company.

Coming  
into force.

**20.** The *Canadian and British Insurance Companies Act* shall apply to the Company except as otherwise provided in this Act. R.S., c. 31.

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EDMOND CLOUTIER, C.M.G., O.A., D.S.P.  
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY  
OTTAWA, 1957



## 5 - 6 ELIZABETH II.

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### CHAP. 48

#### An Act respecting Progressive Insurance Company of Canada.

[Assented to 12th April, 1957.]

**W**HEREAS Progressive Insurance Company of Canada has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1947, c. 85.

**1.** The name of Progressive Insurance Company of Canada, and in French, La Progressive Compagnie d'Assurances du Canada, a company incorporated by chapter 85 of the statutes of 1947, hereinafter called "the Company", is hereby changed to London and Midland General Insurance Company, and in French, La London et Midland Compagnie d'Assurance Générale, but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by or in favour of or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed, and any suit or legal proceeding that might have been commenced or continued by or against the Company by its former name may be commenced or continued by or against it by its new name.

Name  
changed.

Existing  
rights saved.

**2.** Section 3 of chapter 85 of the statutes of 1947 is repealed and the following substituted therefor:

Capital  
stock.

**"3.** The capital stock of the Company shall be two million five hundred thousand dollars."

**3.** This Act shall come into force on the first day of June, 1957.

Coming into  
force.



## 5 - 6 ELIZABETH II.

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### CHAP. 49

An Act respecting The Western Assurance Company.

[Assented to 1st April, 1957.]

WHEREAS The Western Assurance Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1920, c. 98.

1. Section 24 of chapter 98 of the statutes of 1920 is repealed and the following substituted therefor:—

“24. No person shall be elected or continue to be a director unless he holds in his own name for his own use and absolutely in his own right one hundred fully paid shares in the capital stock of the Company and has paid all liabilities incurred by him to the Company.”

Qualifica-  
tion of  
directors.

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QUEEN'S PRINTER AND CONTROLLER OF STATIONERY  
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## 5 - 6 ELIZABETH II.

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### CHAP. 50

An Act to incorporate Alaska-Yukon Pipelines Ltd.

[Assented to 28th March, 1957.]

**W**HEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

**1.** Joseph Theodore Sparling, executive, Eric Milwyn Duggan, investment dealer, and Colin Francis MacKinnon, accountant, all of the city of Edmonton, in the province of Alberta, Harold Alexander Fuller, professional engineer, of the city of Calgary, in the said province, and John Charles Rogers, investment dealer, of the city of Montreal, in the province of Quebec, together with such persons as may become shareholders in the company, are incorporated under the name of Alaska-Yukon Pipelines Ltd., hereinafter called "the Company".

Incorporation.

**2.** The persons named in section 1 of this Act shall be the first directors of the Company.

Provisional directors.

**3.** The capital stock of the Company shall consist of one million shares without nominal or par value.

Capital stock.

**4.** (1) The head office of the Company shall be at the city of Edmonton, in the province of Alberta, which head office shall be the domicile of the Company in Canada; and the Company may establish such other offices and agencies elsewhere within or without Canada as it deems expedient.

Head office and other offices.

(2) The Company may, by by-law, change the place within Canada where the head office of the Company is to be situate.

(3) No by-law for the said purpose shall be valid or acted upon until it is sanctioned by at least two-thirds of the votes

cast at a special general meeting of the shareholders duly called for considering the by-law and a copy of the by-law certified under the seal of the Company has been filed with the Secretary of State and published in the *Canada Gazette*.

Pipe lines  
legislation  
to apply.

R.S., c. 211.

5. The Company shall have all the powers, privileges and immunities conferred by, and be subject to all the limitations, liabilities and provisions of the *Pipe Lines Act*, and any other general legislation relating to pipe lines enacted by Parliament with respect to the transmission and transportation of gas and oil and other liquid and gaseous hydrocarbons.

Power to  
construct and  
operate pipe  
lines.

6. The Company, subject to the provisions of any general legislation relating to pipe lines for the transmission and transportation of gas and oil and other liquid and gaseous hydrocarbons which is enacted by Parliament, may

(a) within Canada in the Yukon Territory, the Northwest Territories and in the provinces of Alberta and British Columbia, and outside Canada construct, purchase, lease or otherwise acquire and hold, develop, operate, maintain, control, lease, mortgage, hypothecate, create liens or other security upon, sell, convey, or otherwise dispose of and turn to account any and all interprovincial and/or international pipe lines and all appurtenances relative thereto for gathering, transmitting, transporting, storing and delivering of natural and artificial gas and oil or any liquid or gaseous hydrocarbons, including pumping stations, terminals, storage tanks or reservoirs and all works relative thereto for use in connection with the said pipe lines: Provided that the main pipe line or lines for the transmission and transportation of gas and oil shall be located entirely within Canada; and buy, or otherwise acquire, transmit, transport and sell, or otherwise dispose of and distribute natural and artificial gas and oil and any liquid or gaseous hydrocarbons; and own, lease, sell, operate and maintain aircraft and aerodromes for the purpose of its undertaking, together with the facilities required for the operation of such aircraft and aerodromes; and own, lease, operate and maintain interstation telephone, teletype and telegraph communication systems, and, subject to the *Radio Act*, and any other statute relating to radio, own, lease, operate and maintain interstation radio communication facilities;

Proviso.

R.S., c. 233.

Power to hold  
land.

(b) purchase, hold, lease, sell, improve, exchange or otherwise deal in any property, real or personal, movable or immovable, or any interest and rights therein legal or equitable or otherwise howsoever and deal with any

portion of the lands and property so acquired, and may subdivide the same into building lots and generally lay the same out into lots, streets and building sites for residential purposes or otherwise and may construct streets thereon and necessary sewerage and drainage systems and build upon the same for residential purposes or otherwise and supply any buildings so erected, or other buildings erected upon such lands, with electric light, heat, gas, water or other requisites, and lease or sell the same, upon such terms and subject to such conditions as appear requisite, either to its employees or to others; and

- (c) exercise as ancillary and incidental to the purposes or objects set forth in this Act, the powers following, unless such powers or any of them are expressly excluded by this Act, namely, the powers set forth in paragraphs (a) to (bb) inclusive of subsection 1 of section 14 of the *Companies Act*.

Ancillary powers.

R.S., c. 53.

7. The provisions of subsections (7), (8), (9) and (10) of Section 12 and Sections 35, 36, 39, 40, 59, 62, 63, 64, 65, 84, 91 and 94 of Part I of the *Companies Act* apply to the Company: Provided that wherever in said subsection (10) of Section 12 and in the said Sections 35 and 59 the words "Letters Patent or Supplementary Letters Patent" appear, the words "Special Act" shall be substituted therefor.

Sections of the *Companies Act* to apply.  
Proviso.

8. Sections 153, 162, 167, 172, 184, 190, 193 and 194 of Part III of the *Companies Act* shall not be incorporated with this Act.

Sections of the *Companies Act* not to apply.

9. (1) The Company shall not make any loan to any of its shareholders or directors or give whether directly or indirectly, and whether by means of a loan, guarantee, the provision of security or otherwise, any financial assistance for the purpose of, or in connection with, a purchase made or to be made by any person of any shares in the capital stock of the Company: Provided that nothing in this section shall be taken to prohibit

The Company not to make a loan to shareholders or directors.

Proviso.

- (a) the making by the Company of loans to persons, other than directors, bona fide in the employment of the Company with a view to enabling or assisting those persons to purchase or erect dwelling houses for their own occupation; and the Company may take, from such employees, mortgages or other securities for the repayment of such loans;
- (b) the provision by the Company, in accordance with any scheme for the time being in force, of money for the purchase by trustees of fully paid shares in the capital stock of the Company, to be held by, or for the benefit

of, employees of the Company, including any director holding a salaried employment or office in the Company; or

- (c) the making by the Company of loans to persons, other than directors, bona fide in the employment of the Company, with a view to enabling those persons to purchase fully paid shares in the capital stock of the Company, to be held by themselves by way of beneficial ownership.

(2) The powers under paragraphs (b) and (c) of subsection (1) of this section shall be exercised by by-law only.

(3) If any loan is made by the Company in violation of the foregoing provisions, all directors and officers of the Company making the same or assenting thereto, shall, until repayment of said loan, be jointly and severally liable to the Company and to its creditors for the debts of the Company then existing or thereafter contracted: Provided that such liability shall be limited to the amount of said loan with interest.

Proviso.

When redemption or purchase not a reduction of paid-up capital.

**10.** The redemption or purchase for cancellation of any fully paid preferred shares created by by-law pursuant to the provisions of this Act, in accordance with any right of redemption or purchase for cancellation reserved in favour of the Company in the provisions attaching to such preferred shares, or the redemption or purchase for cancellation of any fully paid shares of any class, not being common or ordinary shares, and in respect of which the by-laws provide for such right of redemption or purchase, in accordance with the provisions of such by-laws, shall not be deemed to be a reduction of the paid-up capital of the Company, if such redemption or purchase for cancellation is made out of the proceeds of an issue of shares made for the purpose of such redemption or purchase for cancellation, or if,

- (a) no cumulative dividends, on the preferred shares or shares of the class in respect of which such right of redemption or purchase exists and which are so redeemed or purchased for cancellation, are in arrears; and
- (b) if such redemption or purchase for cancellation of such fully paid shares is made without impairment of the Company's capital by payments out of the ascertained net profits of the Company which have been set aside by the directors for the purposes of such redemption or of such purchase for cancellation, and if such net profits are then available for such application as liquid assets of the Company, as shown by the last balance sheet of the Company, certified by the Company's auditors, and being made up to a date not more than ninety days

prior to such redemption or purchase for cancellation, and after giving effect to such redemption or purchase for cancellation;

and subject as aforesaid, any such shares may be redeemed or purchased for cancellation by the Company on such terms and in such manner as is set forth in the provisions attaching to such shares, and the surplus resulting from such redemption or purchase for cancellation shall be designated as a capital surplus, which shall not be reduced or distributed by the Company except as provided by a subsequent Act of the Parliament of Canada.

**11.** The Company may pay a commission to any person in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, for any shares, bonds, debentures, debenture stock or other securities of the Company, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any shares, bonds, debentures, debenture stock or other securities of the Company: Provided, however, that as regards shares, such commission shall not exceed ten per cent of the amount realized therefrom.

Commission  
on  
subscription.

Proviso.

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EDMOND CLOUTIER, C.M.G., O.A., D.S.P.  
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY  
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## 5 - 6 ELIZABETH II.

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### CHAP. 51

#### An Act respecting The Baptist Convention of Ontario and Quebec.

[Assented to 12th April, 1957.]

**W**HEREAS The Baptist Convention of Ontario and Quebec has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1889, c. 105.  
1911, c. 38.

**1.** The name of The Church Edifice Board of the Baptist Convention as it appears in paragraph (*e*) of section 5 of chapter 105 of the statutes of 1889, as amended by chapter 38 of the statutes of 1911, is hereby changed to The Church Extension Board of the Baptist Convention, hereinafter called “the Board”, but such change in the name of the Board shall not in any way impair, alter or affect the rights or liabilities of the Board or any bequest, gift or donation now made or which hereafter may be made to the Board, whether by its original or its new name, or any suit or proceeding now pending or judgment existing, either by or in favour of or against the Board, which notwithstanding such change in the name of the Board may be enforced and continued as if this Act had not been passed.

Change of  
name of  
board.

**2.** Paragraph (*e*) of section 5 of chapter 105 of the statutes of 1889, as amended by chapter 38 of the statutes of 1911, is repealed and the following substituted therefor:—

“(e) A board for assisting Regular Baptist churches, by loan or gift, in the acquisition, erection and maintenance of church edifices, and the acquiring of lands as sites therefor, to be called “The Church Extension Board of the Baptist Convention”. The Board, when it deems it expedient, may itself acquire and hold the land, and erect and maintain the buildings. The objects of the

Objects  
and  
powers.

Board shall include the promotion and establishment of new Regular Baptist churches within the provinces of Ontario and Quebec. The Board may do all such lawful acts and things as are incidental or may be conducive to the attainment of its objects, and in particular may, when it deems it expedient, in relation either to new or existing churches, manage and control all matters relating to the real property required therefor, the construction, equipment and maintenance of buildings for the use of such churches, and the financing, in whole or in part, of any such projects."

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EDMOND CLOUTIER, C.M.G., O.A., D.S.P.  
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY  
OTTAWA, 1957

## 5 - 6 ELIZABETH II.

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### CHAP. 52

An Act respecting The Bishop of the Arctic.

[Assented to 1st April, 1957.]

WHEREAS The Bishop of the Arctic, a corporation Preamble.  
incorporated by chapter 74 of the statutes of 1934, 1934, c. 74.  
went into possession of certain of the lands referred to in  
section 1 of this Act in 1933, and into possession of the  
remainder of the said lands in 1950;

Whereas The Bishop of the Arctic is in sole possession  
of the duplicate certificates of title to the said lands, all  
of which are within the limits of the Diocese of the Arctic  
in the Ecclesiastical Province of Rupert's Land, and all  
of which have been, since 1933 and 1950 respectively, in  
the sole, continuous and undisputed possession of The  
Bishop of the Arctic for the benefit of what is now the  
Anglican Church of Canada;

Whereas, until 1933, all the said lands, which were then  
in the Diocese of Mackenzie River in the Ecclesiastical  
Province of Rupert's Land, were held and administered by,  
and registered in the name of, The Bishop of Mackenzie  
River, a corporation incorporated by chapter 80 of the  
statutes of 1917, for the benefit of the Church of England 1917, c. 80.  
in Canada, now the Anglican Church of Canada;

Whereas, on September 15, 1933, by resolution of the  
Synod of the aforementioned Ecclesiastical Province, the  
Diocese of Mackenzie River ceased to exist, and no Bishop  
of Mackenzie River was elected thereafter;

Whereas no transfers of the said lands were executed or  
registered by The Bishop of Mackenzie River, in whose  
name they are still registered;

Whereas The Bishop of the Arctic is authorized by chapter  
74 of the statutes of 1934 to accept transfers of the said  
lands from The Bishop of Mackenzie River;

Whereas the Synod of the Ecclesiastical Province of  
Rupert's Land resolved on February 3, 1956, that the said

lands should be transferred to and vested in The Bishop of the Arctic; and

Whereas The Bishop of the Arctic has by his petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Vesting  
of lands.

1. The lands registered in the name of The Bishop of Mackenzie River in the Land Titles Office for the Northwest Territories Land Registration District are hereby vested in The Bishop of the Arctic, subject to any encumbrances, liens and interests endorsed upon the certificates of title, and the Registrar of the said Office shall, upon the surrender of the duplicate certificates of title in the name of The Bishop of Mackenzie River, cancel the certificates of title in the name of The Bishop of Mackenzie River and issue certificates of title and duplicates thereof for such lands in the name of The Bishop of the Arctic, subject to the above-mentioned encumbrances, liens and interests.

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EDMOND CLOUTIER, C.M.G., O.A., D.S.P.  
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## 5 - 6 ELIZABETH II.

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### CHAP. 53

An Act respecting Les Révérends Pères Oblats de  
l'Immaculée Conception de Marie.

[Assented to 1st April, 1957.]

WHEREAS Les Révérends Pères Oblats de l'Immaculée Conception de Marie, a corporation incorporated by chapter 143 of the statutes of the former Province of Canada, 12 Victoria, 1849, hereinafter referred to as "the principal Act", set forth in Schedule 1 to this Act, as amended by chapter 51 of the statutes of the Province of Quebec, 38 Victoria, 1875, chapter 52 of the statutes of the Province of Quebec, 51-52 Victoria, 1888, and chapter 115 of the statutes of the Province of Quebec, 24 George V, 1934, set forth in Schedule 2 to this Act, and as amended by chapter 104 of the statutes of the Province of Ontario, 1 Edward VII, 1901, and by chapter 86 of the statutes of the Province of Ontario, 23 George V, 1933, set forth in Schedule 3 to this Act, has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. The name of Les Révérends Pères Oblats de l'Immaculée Conception de Marie is hereby changed to Les Missionnaires Oblats de Marie Immaculée, hereinafter called "the Corporation". The change in the name of the Corporation shall not in any way impair, alter or affect the rights or liabilities of the Corporation or any bequest, gift or donation now made or which hereafter may be made to the Corporation, whether by its original or its new name, or any suit or proceeding now pending or judgment existing, either by or in favour of or against the Corporation which, notwithstanding such change in the name of the Corporation may be enforced and continued as if this Act had not been passed.

Change of name.

Head office. 2. The head office of the Corporation shall continue to be at the city of Montreal, in the province of Quebec, or shall be at such other place in Canada as may be decided by the Corporation: Provided that notice in writing shall be given to the Secretary of State by the Corporation of any change of the head office and such notice shall be published in the *Canada Gazette*.

Objects. 3. The objects of the Corporation shall be

- (a) to organize, establish, maintain and carry on residences for its members, missions, churches, places of worship, parsonages, parochial undertakings, retreat houses and institutions, orphanages, houses of refuge for the aged, rest homes and institutions and agencies for promoting, teaching, propagating and disseminating the Roman Catholic faith and doctrine and for training persons for the said purposes;
- (b) to promote, organize, establish, maintain and carry on social service, welfare and guidance institutions and agencies;
- (c) to promote education, instruction and culture, and to organize, establish, maintain and carry on schools, colleges, academies, seminaries, institutions of learning, and industrial, technical and agricultural institutes and farms;
- (d) to promote charity and to care for the poor, and to organize, establish, maintain and carry on charitable institutions, hospitals, clinics, dispensaries and cemeteries and;
- (e) to organize, establish, maintain and carry on libraries, and houses and agencies for printing, publishing and disseminating literature, newspapers, periodicals and works of education, religion, art and science.

Powers to acquire and hold property. 4. The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, corporeal or incorporeal, and any or every estate or interest whatsoever, given, granted, mortgaged, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or any way whatsoever, to, for or in favour of the use and purposes of the Corporation.

Disposition of property. 5. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real or personal property held by the Corporation, whether by way of investment for the uses and purposes of the Corporation or not; and may also, from time to time invest all or any of its funds or moneys, and all or any funds or moneys

vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property in any part of Canada; and for the purposes of such investment may take, receive and accept mortgages, hypothecs or charges or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages, hypothecs or charges or assignments either wholly or partly.

**6.** (1) The Corporation may, from time to time, for the purposes of the Corporation Borrowing powers.

- (a) borrow money upon the credit of the Corporation;
- (b) limit or increase the amount to be borrowed;
- (c) make, draw, accept, endorse or become party to promissory notes and bills of exchange, and every such note or bill made, drawn, accepted or endorsed by the party thereto authorized by the by-laws of the Corporation and countersigned by the proper party thereto authorized by the by-laws of the Corporation, shall be binding upon the Corporation, and shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown; and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;
- (d) issue bonds, debentures or other securities of the Corporation;
- (e) pledge or sell such bonds, debentures or other securities for such sums and at such prices as may be deemed expedient; and
- (f) mortgage, hypothecate or pledge any property of the Corporation, real or personal, by way of trust deeds or otherwise, to secure the repayment of any money borrowed for the purposes of the Corporation.

(2) Nothing in this section shall be construed to authorize the Corporation to issue any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank or to engage in the business of banking or insurance.

**7.** The Corporation may invest its funds, or any portion thereof, either directly in the name of the Corporation or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable and may lend its funds or any portion thereof on any such securities. Investments.

**8.** The Corporation may pursue its objects and exercise its rights and powers in any part of Canada.

Application of mortmain laws.

**9.** In regard to any real property of the Corporation, which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a license in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, insofar as such laws apply to the Corporation.

Removal of special requirements.

**10.** Any deed of sale or conveyance whereby the Corporation has acquired any real or immoveable property, which did not comply with the special requirements set forth in Section VI of the principal Act, is hereby declared to be as valid as if it had complied with such requirements.

Council of administration.

**11.** (1) All the powers of the Corporation shall continue to be exercised by a Council of Administration, hereinafter called "the Council", which shall have the control and management of all the affairs and business of the Corporation.

(2) The Council shall consist of the Provincial, the Bursar and four Councillors.

(3) The members of the Council now in office shall continue in office until their successors are appointed pursuant to this section.

(4) The Council shall have power by by-law or resolution

(a) to determine the conditions upon which persons may be admitted and retained as members of the Corporation, and the rights and duties of such members;

(b) to provide for the term of office and the mode of appointment of the members of the Council, and for filling any vacancy which may occur in the Council by death, resignation or otherwise; and

(c) to make rules and regulations for calling and holding meetings of the Council and for determining the quorum of the Council.

Effect of provisions.

**12.** The provisions of this Act shall have full force and effect notwithstanding anything contained in the principal Act or in any amendments thereto.

Yearly value.

**13.** Section I of the principal Act is amended by striking out the words "natural born or naturalized subjects of Her Majesty", and also by striking out the words "not exceeding in yearly value the sum of two thousand pounds currency of this Province", as they appear therein.

Repeal.

**14.** Sections IV, V and VI of the principal Act are repealed.

## SCHEDULE 1

*Chapter 143 of the Statutes of the former  
Province of Canada, 12 Victoria, 1849.*

An Act to incorporate Les Révérends Pères Oblats de  
l'Immaculée Conception de Marie,  
in the Province of Canada.

(30th May, 1849)

WHEREAS an Association of Ecclesiastics hath existed for several years in the Province of Canada under the name of *Les Révérends Pères Oblats de l'Immaculée Conception de Marie*, having for its object the establishing of missions, procuring Instruction and Education, erecting and conducting Hospitals for indigent sick persons; And whereas the said *Les Révérends Pères Oblats*, have by the Petition presented in their name by the Reverend Father Jean Claude Léonard, one of their Body, prayed that the said Association may be incorporated; And whereas, in consideration of the great benefits which must arise from the Institution, it is expedient to grant their prayer: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That the Reverend Fathers Joseph Eugène, Bishop of Bytown, the said Jean Claude Léonard, Damase Dandurand, John Ryan, M. Molly, and such other persons natural born or naturalized subjects of Her Majesty as may be now or may hereafter become under the provisions of this Act, Members of the said Institution, shall be and are hereby declared to be a Body Politic and Corporate in deed and in name by the name *Les Révérends Pères Oblats de l'Immaculée Conception de Marie*, and by that name shall have perpetual succession and a Common Seal, with power to change, alter, break or renew the same when and as often as they may think proper and shall by the same name, at all times hereafter be able and capable to purchase, acquire, hold, possess and enjoy, and to have, take, and receive to them and their Successors, to and for the uses and purposes of the said Corporation under any legal title whatsoever, and without any further authorization or letters of Mortmain, any lands, tenements and hereditaments, moveable and

Preamble.

Members of  
the  
Association,  
Ec. incor-  
porated.

Corporate  
name and  
powers.

Amount of  
property  
limited.

immoveable property situate, lying and being within this Province, not exceeding in yearly value the sum of two thousand pounds currency of this Province, and the same to sell, alienate and dispose of, and to purchase, acquire and possess others in their stead for the said purposes; and by the same name shall and may be able and capable in law to sue and be sued, implead and be impleaded, answer and be answered unto in all Courts of Law and places whatsoever, in as large, ample and beneficial a manner as any other Body Politic or Corporate, or as any persons able or capable in law may or can sue and be sued, implead and be impleaded, answer and be answered unto, in any manner whatsoever, and the service of any summons or process made at the domicile of any one of the said Members of the Corporation in any one of their establishments wherein two or more of the said Members may reside, shall be a valid service thereof, upon the said Corporation; and the said Corporation shall have full power and authority to make and establish such By-laws, Rules, Orders and Regulations, not being contrary to this Act nor to the Laws in force in this Province, as shall be deemed useful and necessary for the interests of the said Corporation and for the management thereof, and of the affairs and property of the said Corporation and for the admission of Members into, or their removal from the said Corporation, and for their qualification and for all other purposes having for their object the promotion of the welfare and interests of the said Corporation, and from time to time to amend, alter or repeal the said By-laws, Rules, Orders and Regulations or any of them, in such manner as the said Corporation may deem meet and expedient.

By-laws for  
certain  
purposes.

The  
Corporation  
may appoint  
Attorneys.

II. And be it enacted, That the said Corporation shall also have power to appoint, if they think fit, one or more Attorneys for the purpose of conducting the affairs of the said Corporation, and shall, generally, enjoy all the rights and privileges enjoyed by other legally Incorporated Bodies in this Province.

The rents, &c.  
to be applied  
to certain  
purposes.

III. And be it enacted, That the rents, revenues, issues and profits of all property, real or personal, moveable or immoveable, held by the said Corporation, shall be appropriated and applied solely to the maintenance of the Members of the said Corporation, the construction and repairs of the buildings requisite for the purposes of the said Corporation, and the payment of the expenses incurred for objects legitimately connected with or depending on the purposes aforesaid.

As to real  
property  
bequeathed  
or given to  
the  
Corporation  
in case of its  
dissolution.

IV. And be it enacted, That if the said Corporation shall from any cause whatsoever be dissolved the moveable property which shall then be *en nature*, and the immoveable property and *rentes constituées* which shall have been given,

devised or bequeathed to the said Corporation, or the immoveable property received in exchange for or purchased by means of the sale of the property so given, devised or bequeathed, and which shall be in possession of the said Corporation at the time of its dissolution, shall return to and belong to the legal Heirs of the person or persons respectively who shall have given, devised or bequeathed, such property to the said Corporation.

V. And be it enacted, That in case of such dissolution of the said Corporation, the real property by them purchased and acquired and paid for out of their own revenues, and not by the sale or exchange of any property given, devised or bequeathed to them as well as all other property then belonging to the said Corporation, and not liable to be claimed by and revert to the Heirs of any Donor or Testator under the provisions of the next preceding section of this Act, shall be at the disposal of the Provincial Parliament for the purpose of being applied to the maintenance of some Charitable Institution, or the Education of the Poor, in the Parish or Township in which such property shall be situate.

As to other property of the Corporation in such case.

VI. And be it enacted, That no Deed of Sale or Conveyance by which the said Corporation shall purchase or acquire any real or immoveable property or annual rents (*rentes constituées*) shall be valid or effectual to any intent or purpose whatsoever, unless in such Deed it be stated and set forth that such purchase or acquisition is made with the funds of the said Corporation itself, or with funds arising from the sale or alienation of such and such property describing the same, given, devised or bequeathed to the said Corporation by such and such person or persons, designating the same by name, or otherwise, as the case may be.

Conditions in Deeds of sale, &c. to the Corporation.

VII. And be it enacted, That it shall be the duty of the said Corporation at all times when they may be called upon so to do by the Governor of this Province, to render an account in writing of their property and affairs, in which shall be set forth in particular the income by them derived from property held under this Act and the means by which the same has been acquired.

Corporation to account when called upon.

VIII. And be it enacted, That no Member of the said Corporation shall be individually liable or accountable for the debts, contracts or securities of the said Corporation.

Members not liable for the debts of the Corporation.

IX. And be it enacted, That nothing herein contained shall affect or be construed to affect in any manner or way, the Rights of Her Majesty, Her Heirs or Successors, or of any Body Politic or Corporate, such only excepted as are hereinbefore mentioned and provided for.

Rights of the Crown, &c. saved.

X. And be it enacted, That this Act shall be deemed a Public Act, and shall be publicly taken notice of as such by all Judges, Justices of the Peace, and other persons whomsoever, without being specially pleaded.

Public Act.

## SCHEDULE 2

*Chapter 51 of the Statutes of the Province of Quebec,  
38 Victoria, 1875.*

An Act to amend the Act 12 Victoria, chapter 143.  
(Assented to 23rd February, 1875.)

Preamble.

WHEREAS the Corporation of Les Révérends Pères Oblats de l'Immaculée Conception de Marie has represented by petition, that it is expedient to amend the act of the late Province of Canada, 12th Victoria, chapter 143, by which the said corporation was constituted and incorporated; and whereas it is expedient to grant the prayer of the said petition; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:—

Power to  
acquire,  
possess, etc.

1. The said Corporation may at all times and places, by purchase, gift, bequest, cession, loan, or by all other lawful title and means, acquire, possess, inherit, take, have, accept and receive, for itself and its successors, without any further authorization, or letters of mortmain, any property moveable and immoveable whatsoever, for the uses and purposes of the said corporation, as also to hypothecate, sell, lease, farm, exchange, alienate and generally legally dispose of the same, in whole or in part, for the same purposes; provided that such immoveable property shall not exceed in annual value, the sum of twenty thousand dollars, over and above the value of the immoveable property occupied for the purposes of the said corporation; and provided also, that, if the said corporation become proprietor of immoveable property, exceeding in annual value the sum of twenty thousand dollars as aforesaid, it shall be obliged to sell such surplus property within five years from acquiring the same.

Proviso.

Proviso.

S. 3 of 12  
Vict., c. 143  
repealed.  
Use of  
profits.

2. The third section of the said act of incorporation is repealed, and the following substituted therefor:

“And be it enacted, that the rents, revenues and profits of all property, moveable and immoveable of the said corporation, be employed for the uses thereof.”

Ss. 4, 5 of said  
Act repealed.

Properties  
given,  
remain  
ecclesiastical,  
in case of  
dissolution.

3. The fourth and fifth sections of the said Act of incorporation are repealed, and the following substituted therefor:

“And be it enacted, that in the event of the dissolution of the said corporation for any reason whatsoever, the moveable property then in existence, and the immoveables and constituted rents, which shall have been given and bequeathed to the said corporation, or the other immoveable property, bought or exchanged, by means of the sale of the

property so given and bequeathed, and which may be in the possession of the said corporation, at the time of such dissolution, shall remain ecclesiastical property according to the laws of the Roman Catholic church, and shall be under the exclusive control of the Roman Catholic bishop of the diocese in which they are situated; to be by him employed en oeuvres pies; provided always that this act, in no manner affect donations made previously thereto, having a special clause expressed in the deed of donation, that the properties given, are so given on condition that such properties should revert to the heirs of the donor or donors, in the event of the dissolution of the said corporation.”

Proviso.

4. The sixth section is repealed and struck out and the following added:

S. 6 of the said Act repealed.

“And be it enacted, that all deeds of sale or other deeds whatsoever made and passed without the formalities and mentions required by the said sixth section of the said act of incorporation, be declared legal and valid, as if the said formalities had been observed and followed in conformity with the said sixth section.”

Certain Acts declared valid.

*Chapter 52 of the Statutes of the Province of Quebec,  
51-52 Victoria, 1888.*

An act to further amend the act of the former Province of Canada, 12 Victoria, chapter 143, respecting the Oblate Fathers.

*(Assented to 12th July, 1888.)*

WHEREAS the Reverend Pères Oblats de l'Immaculée Conception de Marie have, by their petition, represented that it is expedient to further amend the act of the former Province of Canada, 12 Victoria, chapter 143, by which they were incorporated; and whereas it is expedient to grant such prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Preamble.

1. Section 1 of the Act, 12 Victoria, chapter 143, is amended by striking out the words “born or naturalized subjects of Her Majesty” in the seventeenth line thereof, and also by striking out the following words: “and the service of any summons or process made at the domicile of any one of the said members of the corporation in any one of their establishments wherein two or more of the said members may reside, shall be a valid service thereof upon the corporation,” and also by adding at the end of the said first section, the following:

12 V., c.143, s. 1 amended.

“The principal establishment of the said corporation in the Province of Quebec is in the city of Montreal.”

Head Office.

*Chapter 115 of the Statutes of the Province of Quebec,  
24 George V, 1934.*

An Act to amend the charter of the corporation of  
Les Révérends Pères Oblats de l'Immaculée  
Conception de Marie

(*Assented to, the 20th April, 1934.*)

Preamble.

WHEREAS Reverend Father Philémon Bourassa, O.M.I., Provincial, Reverend Father Eugène Guérin, O.M.I., Provincial Councillor, and Reverend Father Antoine Bourassa, O.M.I., Provincial Econome, all members of the corporation of Les Révérends Pères Oblats de l'Immaculée Conception de Marie, have, by their petition, represented:

That the corporation of Les Révérends Pères Oblats de l'Immaculée Conception de Marie was incorporated by the act 12 Victoria, chapter 143, subsequently amended by the act 38 Victoria, chapter 51, and by the act 51-52 Victoria, chapter 52;

That the corporation has considerably developed since, and has acquired juvenates, novitiates and scholasticates, and consequently has had to acquire property;

That the said corporation wishes to change its corporate name to that of Les Missionnaires Oblats de Marie Immaculée;

That, considering the development of its work, it has become necessary to specify and better define the rights of the corporation;

That it has become necessary to determine its powers of borrowing, particularly by means of an issue of bonds;

That for such reasons the corporation needs more ample powers;

That it has prayed for the passing of an act for the above purposes and obtained the consent of the Ordinary of the diocese; and

Whereas it is expedient to grant its prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Title of Act.

1. This act may be cited as an act to amend the charter of Les Révérends Pères Oblats de l'Immaculée Conception de Marie.

Change of  
corporate  
name.

2. The name "Les Révérends Pères Oblats de l'Immaculée Conception de Marie" is hereby changed to that of

“Les Missionnaires Oblats de Marie Immaculée”, and section 1 of chapter 143 of the act incorporating Les Révérends Pères Oblats de l'Immaculée Conception de Marie of the heretofore Province of Canada passed in the second year of the reign of Her Majesty Queen Victoria, is amended by removing the name “Les Révérends Pères Oblats de l'Immaculée Conception de Marie”, wherever it appears in the said charter, by replacing it by the name “Les Missionnaires Oblats de Marie Immaculée”, and its said corporate name is also changed wherever it is found in the act 38 Victoria, chapter 51, and in the act 51-52 Victoria, chapter 52.

**3.** Section 1 of the act 38 Victoria, chapter 51, is replaced by the following.

38 Vict., c. 51,  
s. 1, replaced.

**“1.** The Corporation may:

Powers, etc.,  
of the  
corporation.

- (a) Accept, receive and acquire, according to law, and possess moveables and immoveables, provided the annual revenue from the immoveables held by the corporation, for purposes of revenue only, does not exceed one hundred thousand dollars;
- (b) Administer its property and draw the revenues thereof, sell, exchange, cede and alienate the same in any way whatsoever, or otherwise dispose of same;
- (c) Contract, in any manner recognized by law, on the credit of the corporation, loans of any sum of money necessary for the attainment of the objects for which it was incorporated;
- (d) Give security and guarantees of any nature, or otherwise secure any debts or obligations which the corporation may deem opportune to assume;
- (e) Issue bonds or other securities of the corporation and give the same in guarantee or sell them at the price and amount considered advisable;
- (f) Hypothecate, mortgage or pledge the moveables or immoveables, present or future, of the corporation, to assure the payment of such bonds or other securities, or give a part only of these guarantees for the same object; and constitute the hypothec, mortgage or pledge, mentioned in this subparagraph, by a deed of trust in accordance with chapter 227 of the Revised Statutes, 1925, or in any other way;
- (g) Hypothecate or mortgage the immoveables, or pledge or otherwise affect the moveables of the corporation, or give all such guarantees, to secure the payment of loans made otherwise than by bond issue, as well as the payment or execution of other debts, contracts or undertakings of the corporation;

(h) Effect the pledges, hypothecs or guarantees indicated in this section, to secure loans already made by the said corporation by means of an issue of bonds or otherwise."

Purchases  
etc., valid-  
ated, etc.

4. All purchases, gifts, bequests, cessions or transfers of moveable and immoveable property made by or to the corporation are hereby ratified and the said property described in the contracts, agreements, transfers or deeds of gift and now held by the corporation is hereby transmitted to Les Missionnaires Oblats de Marie Immaculée.

Adminis-  
trative  
council.

5. (1) All the powers of the corporation shall be exercised by the administrative council.

Composition,  
etc.

(2) The administrative council shall consist of six members, to wit, the Provincial, the Provincial Econome and four other councillors, and three members shall be a quorum, until another number shall have been fixed by by-law.

Present  
Councillors.

(3) The present councillors shall remain in office until their respective successors are elected.

Powers.

(4) The administrative council shall have the control and administration of all the affairs of the corporation, and, for greater certainty, without restricting the generality of the above terms, it is enacted that the administrative council shall have power:

(a) To hypothecate, mortgage or pledge all the moveable or immoveable property, present or future, of the corporation, to assure the payment of any sum of money borrowed, or the performance of any obligation which the corporation will have assumed by a promissory note, cheque or other document, duly signed, drawn or endorsed by it;

(b) To pass any by-law as to the term of office and manner of appointing the members of its administrative council, and as to filling any vacancy which may arise in such council, by the death or resignation of a member or otherwise;

(c) To pass any by-law determining the rules and regulations to be followed for the holding of meetings of the said council, and its operations, and to determine the quorum of the council;

(d) To invest any sum which the corporation may have in hand, in the manner which the administrative council may see fit to do.

Coming into  
force.

6. This act shall come into force on the day of the sanction.

## SCHEDULE 3

*Chapter 104 of the Statutes of the Province of Ontario,  
1 Edward VII, 1901.*

An Act respecting Les Révérends Pères Oblats de l'Immaculée Conception de Marie, commonly known as The Oblates of Mary Immaculate.

*(Assented to 15th April, 1901.)*

WHEREAS the Corporation of Les Révérends Pères Oblats de l'Immaculée Conception de Marie, commonly known as The Oblates of Mary Immaculate have, by their Petition represented that the said Corporation was incorporated on the 30th day of May, 1849, under an Act of the late Province of Canada, being Chapter 143 of the Acts passed in the twelfth year of the reign of Her late Majesty, Queen Victoria, and by their said Petition have asked for an Act amending the said Act of Incorporation by empowering the said Corporation to mortgage, hypothecate, sell, lease or otherwise dispose of the real and personal property of the said Corporation, and whereas it is expedient to grant the prayer of the said Petition:—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The said Corporation shall have power from time to time and so often as they shall deem necessary or expedient, to mortgage, hypothecate, sell, lease or otherwise dispose of the real and personal property of the said Corporation.

Power to sell, mortgage, etc., real and personal property.

*Chapter 86 of the Statutes of the Province of Ontario,  
23 George V, 1933.*

An Act to amend the Act incorporating Les Révérends Pères Oblats de l'Immaculée Conception de Marie.

*(Assented to 18th April, 1933.)*

WHEREAS the corporation of Les Révérends Pères Oblats de l'Immaculée Conception de Marie has by its petition represented that it was incorporated by an Act of the late Province of Canada, passed in the twelfth year of the Reign of Her Majesty Queen Victoria, and entitled *An Act to incorporate Les Révérends Pères Oblats de l'Immaculée Conception de Marie in the Province of Canada*, and has by its petition sought that an Act be passed changing the

Preamble.

name of the said corporation and otherwise amending its Act of incorporation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This act may be cited as *Les Missionnaires Oblats de Marie Immaculée Act, 1933.*

Name changed. **2.** The name "Les Révérends Pères Oblats de l'Immaculée Conception de Marie" is changed to "Les Missionnaires Oblats de Marie Immaculée," and section 1 of chapter 143 being the Act to incorporate Les Révérends Pères Oblats de l'Immaculée Conception de Marie, in the Province of Canada, passed in the twelfth year of the reign of Her Majesty Queen Victoria, is amended by striking out the name, "Les Révérends Pères Oblats de l'Immaculée Conception de Marie" wherever it occurs in the said section and inserting in lieu thereof the name "Les Missionnaires Oblats de Marie Immaculée."

**3.** Notwithstanding anything contained in the said Act,—

Power to acquire lands, subject to *The Mortmain and Charitable Uses Act.*

(a) The said corporation may from time to time and at all times acquire and hold as purchaser any interest in lands and tenements and the same alienate, lease, mortgage and dispose of, and purchase others in their stead, provided that the said corporation shall not at any time acquire or hold as purchaser any lands or tenements or interest therein otherwise than for actual use or occupation for the purposes of the said corporation, and the said corporation may from time to time take or hold by gift, devise or bequest any lands or tenements or interest therein; but no lands or tenements or interest therein acquired by gift, devise or bequest shall be held by the said corporation for a longer period than seven years after the acquisition thereof unless the same are actually used or occupied for the purposes of the said corporation; and to the extent that any such lands or tenements or interest therein are not actually required for such use or occupation, the same shall within the said period of seven years be disposed of by the said corporation, failing which the same shall be forfeited to the Crown as in the case of lands forfeited under *The Mortmain and Charitable Uses Act.*

Rev. Stat., c. 132.

(b) All conveyances, transfers and devises of land and tenements heretofore made in favour of the said

corporation are hereby confirmed and the lands and tenements described in the said conveyances, transfers or devises and now held by the said corporation are hereby vested in "Les Missionnaires Oblats de Marie Immaculée."

**4.** Sections 4, 5 and 6 of the said Act are hereby repealed.

12 Vict.,  
c. 143, ss. 4,  
5 and 6  
repealed.

**5.** (1) Notwithstanding anything contained in the said Act all the powers of the said corporation shall be exercised by a managing body called the Council of Administration.

Council of  
Administra-  
tion.

(2) The Council of Administration shall consist of six members as follows: The Provincial, The Bursar and four Councillors.

Membership.

(3) The members of the council now in office shall continue in office until their respective and several successors are appointed.

Present  
members.

(4) The Council of Administration shall have the control and management of all the affairs of business of the corporation and for greater certainty, but not so as to limit the generality of the foregoing, it is declared that the council shall have power to,—

Powers of  
management.

(a) hypothecate, pledge or charge any or all the personal and real property of the corporation to secure any money borrowed or the fulfilment of any obligations incurred by it under promissory note or bill of exchange signed, made, drawn or endorsed by it;

(b) pass by-laws providing for the term of office and the mode of appointment of the members of the council, and for filling any vacancy which may occur in the council by death, resignation or otherwise;

(c) pass by-laws providing rules and regulations pertaining to the meeting of the council and its transactions and for fixing the quorum of the council;

(d) subject to the limitations imposed by any trust as to the same, invest all such money as shall come to the hands of the corporation in such manner as to the council may seem meet.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.



## 5 - 6 ELIZABETH II.

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### CHAP. 54

#### An Act to incorporate Oblate Fathers of Assumption Province.

[Assented to 28th March, 1957.]

**W**HEREAS the Missionary Oblates of Mary Immaculate is a religious order in communion with the Roman Catholic Church; Preamble.

Whereas the erection of Oblate Fathers of Assumption Province was decreed on the 22nd August, 1956, by the Superior General of the Missionary Oblates of Mary Immaculate, at Rome, Italy, under the authority of a decree by Apostolic Letters in form of Brief of His Holiness Pope Leo XII bearing date the 21st March, 1826, solemnly approving the Constitution of the Missionary Oblates of Mary Immaculate;

Whereas the said decree of erection was duly promulgated at the city of Winnipeg, in the province of Manitoba, on the 14th September, 1956; and

Whereas the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Reverend Michael Joseph Smith, O.M.I., Reverend Stanley Wachowicz, O.M.I., and Reverend Leo Calinski, O.M.I., all of the city of Toronto, in the province of Ontario, Reverend Stanley Puchniak, O.M.I., of the city of Welland, in the said province, Reverend Wojciech Golus, O.M.I., of the city of St. Catharines, in the said province, and Reverend Ladislaus Panek, O.M.I., of Fosston, in the province of Saskatchewan, and their successors duly appointed are hereby incorporated under the name of Oblate Fathers of Assumption Province, hereinafter called “the Corporation.” Incorporation.

Provisional  
directors.

**2.** The persons named in section 1 of this Act shall be the first directors of the Corporation.

Head  
office.

**3.** (1) The head office of the Corporation shall be at the City of Toronto, in the Province of Ontario, or at such other place as may be designated by the Corporation.

Notice.

(2) Notice in writing shall be given to the Secretary of State by the Corporation of any change of the head office and such notice shall be published forthwith in the *Canada Gazette*.

By-laws.

**4.** The Corporation may make, amend and repeal such by-laws, rules, orders and regulations, not inconsistent with the by-laws, rules, orders and regulations of the said Missionary Oblates of Mary Immaculate, or with this Act, as the Corporation may deem appropriate for the conduct and government of the Corporation and its members, and for the acquisition, management, supervision and disposal of its property.

**5.** (1) The Corporation shall be managed by the officers of the Corporation appointed from the directors by the directors in the manner required by the by-laws of the Corporation.

Officers.

(2) The officers shall be the executive body of the Corporation; they shall exercise the powers mentioned in this Act in the manner required by the by-laws, rules, orders and regulations of the Corporation being not inconsistent with the by-laws, rules, orders and regulations of the Missionary Oblates of Mary Immaculate, or with this Act.

(3) The officers shall consist of the Provincial, Vice-President, Treasurer and Recording Secretary and their duties and powers shall be such as are set forth in the by-laws of the Corporation.

Appointment  
and removal  
of directors  
and officers.

**6.** The directors and officers of the Corporation shall be appointed, removed and replaced according to the by-laws of the Corporation.

Objects.

**7.** The Corporation may establish and carry on missions and parishes, erect, maintain, improve and conduct schools, seminaries, colleges, halls, churches, hospitals, orphanages, and any other buildings for charitable, religious or educational purposes; and it may establish, maintain and manage public cemeteries, and generally promote religion, charity and benevolence.

Powers to  
acquire and  
hold  
property.

**8.** The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, corporeal or incorporeal, and any or every estate or interest whatsoever, given, granted, mortgaged, devised or be-

queathed to it, or appropriated, purchased or acquired by it in any manner or any way whatsoever, to, for or in favour of the use and purposes of the Corporation.

**9.** Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real or personal property held by the Corporation, whether by way of investment for the uses and purposes of the Corporation or not; and may also, from time to time invest all or any of its funds or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property in any part of Canada; and for the purposes of such investment may take, receive and accept mortgages, hypothecs or charges or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages, hypothecs or charges or assignments either wholly or partly.

Disposition of property.

**10.** The Corporation may invest its funds, or any portion thereof, either directly in the name of the Corporation or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable and may lend its funds or any portion thereof on any such securities.

Investments.

**11.** In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a licence in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Corporation.

Application of mortmain laws.

**12.** In so far as authorization by the Parliament of Canada is necessary, any person or corporation, in whose name any property, real or personal, is held, in trust or otherwise, for the use and purposes aforesaid, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Corporation.

Transfer of property held in trust.

**13.** The Corporation may perform any service approved by the officers and may fix the charge, if any, and collect such charge for any services rendered by the Corporation.

Fees for services.

Branches. **14.** The Corporation may establish and maintain branches to promote the objects of the Corporation and for such purpose may appoint such subordinate officers with such powers and tenure of office as the Corporation may deem advisable.

May conduct industry. **15.** The Corporation may, from time to time, engage in and conduct any industry which will aid in the execution of the charitable or religious works and objects of the Corporation or any of them.

Borrowing powers. **16.** (1) The Corporation may, from time to time, for the purposes of the Corporation:—  
 (a) borrow money upon the credit of the Corporation;  
 (b) limit or increase the amount to be borrowed;  
 (c) make, draw, accept, endorse or become party to promissory notes and bills of exchange, and every such note or bill made, drawn, accepted or endorsed by the party thereto authorized by the by-laws of the Corporation and countersigned by the proper party thereto authorized by the said by-laws of the Corporation, shall be binding upon the Corporation, and shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown; and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;  
 (d) issue bonds, debentures or other securities of the Corporation;  
 (e) pledge or seil such bonds, debentures or other securities for such sums and at such prices as may be deemed expedient;  
 (f) mortgage, hypothecate or pledge any property of the Corporation, real or personal, to secure the repayment of any money borrowed for the purposes of the Corporation.

(2) Nothing in this section shall be construed to authorize the Corporation to issue any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank or to engage in the business of banking or insurance.

Ancillary powers. **17.** Subsection (1) of section 14, except paragraphs (t) and (u), and section 20 of Part I of the *Companies Act* shall apply *mutatis mutandis* to the Corporation.

R.S., c. 53.

## 5 - 6 ELIZABETH II.

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### CHAP. 55

An Act respecting The Governing Council of The Salvation Army, Canada East, and The Governing Council of The Salvation Army, Canada West.

*[Assented to 28th March, 1957.]*

WHEREAS The Governing Council of The Salvation Army, Canada East, and The Governing Council of The Salvation Army, Canada West, have by Petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1909, c. 132.  
1916, c. 63.  
1916, c. 64.

**1.** Subsection (1) of section 8B of chapter 132 of the statutes of 1909, as amended by section 7 of chapter 63 of the statutes of 1916, is hereby repealed.

Repeal.

**2.** Subsection (1) of section 10 of chapter 64 of the statutes of 1916 is hereby repealed.

Repeal.

**3.** There shall not be, and shall be deemed not to have been in the past, any limitation on the annual value of the real estate held by or in trust for The Governing Council of The Salvation Army, Canada East, or The Governing Council of The Salvation Army, Canada West.

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EDMOND CLOUTIER, C.M.G., O.A., D.S.P.  
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY  
OTTAWA, 1957



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FIFTH SESSION, TWENTY-SECOND PARLIAMENT, 5-6 ELIZABETH II, 1957.

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